
OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

Public Notice Regarding Amendment to the Aged and Disabled (A&D) Waiver

In accordance with public notice requirements established at 42 CFR 441.301 the Indiana Family and Social Services Administration (FSSA), Division of Aging (DA) intends to submit a proposed amendment to the Aged and Disabled (A&D) waiver to the Centers for Medicare and Medicaid Services (CMS) for consideration. This waiver amendment will allow DA to continue providing home and community-based services (HCBS) to individuals who, but for provisions of such services, would require institutional care. The anticipated effective date is May 3, 2020.

The A&D waiver provides an alternative to nursing facility admission for adults and persons of all ages with a disability. The waiver is designed to provide services to supplement informal supports for people who would require care in a nursing facility if waiver or other supports were not available. Waiver services can be used to help people remain in their own homes, as well as assist people living in nursing facilities return to community settings such as their own homes, apartments, assisted living, or adult family care.

The purpose of the amendment is to add Participant Directed Home Care Service (PDHCS) to the A&D waiver. PDHCS is a health related service that can be performed by either licensed medical personnel or trained nonmedical personnel and is provided for the primary purpose of meeting the chronic personal needs of the participant to maintain a level of function that will allow for a participant to avoid unnecessary institutionalization. This service can provide skilled or attendant care activities or both. In conjunction with the Medicaid State Plan, PDHCS may be provided twenty-four (24) hours per day, seven (7) days a week. Participants residing in Indiana and receiving attendant care on the A&D waiver are offered the Participant Directed Attendant Care Services. Additionally, participants may elect to receive the Participant Directed Home Care Service.

In Participant Directed Attendant Care Service, the participants are empowered to choose their own personal attendants. This program empowers participants receiving care, or their representatives on their behalf, to select, schedule, train, supervise, and if necessary, terminate their own personal attendants. The participant directing care or the participant's representative takes on all of the responsibilities of being an employer except for payroll management, which is handled by the fiscal intermediary. The Participant Directed Home Care Service is a health related service that can be performed by either licensed or trained nonmedical personnel and is provided for the primary purpose of meeting chronic medical needs, and maintaining as opposed to improving a level of function, to an extent that allows for a participant to avoid necessary institutionalization.

The agency proposed to limit the initial offering of this service to at most four members in a limited geographic area. This will allow the agency an opportunity to refine member support and program parameters. Due to the limited initial availability of this service, the projected annual cost is estimated at **\$0.3 million** (state and federal) and **\$0.1 million** state share.

Fiscal Impact (in millions) of Proposed Changes:

Federal Budget Impact:	FFY 2020 \$0.09	FFY 2021 \$0.19
State Budget Impact:	FFY 2020 \$0.05	FFY 2021 \$0.10

(10/1/2019-9/30/2020)

Federal Budget Impact:	SFY 2020 \$0.05	SFY 2021 \$0.19
State Budget Impact:	SFY 2020 \$0.02	SFY 2021 \$0.10

(7/1/2019 – 6/30/2020)

The 30 day public comment period will run from December 4, 2019, through January 3, 2020. Comments may be emailed to dacommentts@fssa.in.gov or mailed to the address below:

FSSA–Division of Aging
RE: A&D and TBI Amendment Public Comment
402 West Washington Street, Room W454
P.O. Box 7083
Indianapolis, IN 46207

The A&D waiver drafts are available for review and public comment on the DA Medicaid public comment webpage (<https://www.in.gov/fssa/da/5479.htm>). Hard copies of the proposed amendment are available upon request by emailing dacommentts@fssa.in.gov. Copies of the waiver amendment are also available at local

Division of Family Resources offices as well as local Area Agencies on Aging. In-person consultations or phone calls are available upon request.

Jennifer Sullivan, MD, MPH
Secretary
Family and Social Services Administration

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